

REMARKS

This reply is fully responsive to the Office Action dated October 5, 2004, and is filed within three- (3) months following the mailing date of the Office Action.

Claims Status Summary:

Claims 1 to 12 were pending in the application.

Claims 1 to 12 were rejected under 35 U.S.C. 102(b) as being anticipated by Puaatuua (5,213,245).

Claims 1 to 12 are canceled without prejudice.

Claims 13 to 30 are newly added.

I. Claims Rejections - 35 U.S.C. §102(b)

The Office Action rejected claims 1 to 12 under 35 U.S.C. 102(b) as being anticipated by Puaatuua (5,213,245). Applicant respectfully traverses the rejection and the modification and interpretation of the reference.

The Office Action states that "regarding the term 'ergonomic,' while descriptive, carries no patentable weight without any details as to how that element or part is 'ergonomic.'" Applicant has canceled claims 1 to 12, and added a new set of claims 13 to 30 that detail how each element or component claimed is ergonomic to clearly distinguish from any of the components of any of the cited prior art references.

None of the prior art references, individually or combined, teach or suggest (implied or otherwise) any of the newly claimed ergonomic features of the present invention.

In particular, no reference teaches or suggests (implied or otherwise), the claimed limitations "... *said first axial wall having a first axial wall ergonomic exterior, which is comprised of at least one convex portion between two concave sections for forming a wavy surface, which is contoured for allowing fingers to rest against and grip incurvate sections formed by said concave sections;*

said second axial wall having a second axial wall ergonomic exterior, which is comprised of an upper recess portion for resting a thumb, and an upper slanted raised edge to prevent a sliding of said thumb;

said second axial wall ergonomic exterior further comprising a middle section for enabling palmer muscles of a hand to rest against said middle section, and a lower curved section having a plurality of striates along an edge of said second axial wall for allowing a palm of said hand to rest against said lower curved section, pressing against said plurality of striates..."

Accordingly, Applicant respectfully submits that the rejection of the claims 1 to 12 under 35 U.S.C. 102(b) as being anticipated by Puaatuua (5,213,245) is now mute in view of the newly added claims 13 to 30. In addition, Applicant respectfully submits that the newly added claims 13 to 30 are neither anticipated nor rendered as obvious by any of the cited references. Hence, Applicant respectfully submits that all the newly added claims 13 to 30 are allowable over the cited references and solicits reconsideration and allowance of all claims.

II. PRIOR ART CITED AND NOT RELIED UPON:

Applicant has reviewed the prior art made of record and not relied upon, and believes that the prior art neither anticipates nor renders as obvious any of the Applicant's claims.

CONCLUSION

It is respectfully submitted that the case is now in condition for allowance, and an early notification of the same is requested. If it is believed that a telephone interview will help further the prosecution of this case, Applicant respectfully requests that the undersigned Patent Agent be contacted at listed telephone number.

Respectfully submitted,
Peter Ganjian



Peter Ganjian
Registration No. 43991
3146 N. Verdugo Road
Glendale, CA 91208
Phone: 818-248-1465
Fax: 818-248-7359